

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



January 18, 2013

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the
TRANS4M Benefit Concert

On February 7, 2013, the i.am.giving Foundation, a non-profit organization established under Section 501(c)(3) of the Internal Revenue Code, will hold a benefit concert at the Avalon Hollywood in Los Angeles. The evening event will follow its annual conference that day focusing on various issues affecting communities, including science, technology, engineering and mathematics (STEM) education. The concert will be hosted by musician William James Adams, Jr., popularly known by his stage name will.i.am, who established i.am.giving.

Attending the event will be representatives from private and public technology-related organizations, the education community, the entertainment industry, and other companies and non-profit organizations active in STEM education. About 1400 people are expected to attend. Approximately two-thirds of attendees are affiliated with organizations that provide financial support to i.am.giving, and approximately one-third are invited as guests of the Foundation. Tickets to the event are not sold; invitations are provided to people affiliated with supporting organizations on a basis determined for each situation. The average value of food and beverages provided at the reception will be about \$50 per person. The event will also include musical performances by Mr. Adams and other well-known entertainers. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA representatives to discuss NASA's education programs, plans and achievements with guests from various sectors who are interested in STEM education. Accordingly, NASA employees – including non-career appointees for whom Executive Order 13490 requires signing the ethics pledge – whose duties do not substantially affect the event sponsors may accept an invitation for free attendance to the reception for themselves and their invited spouses or guests.

However, NASA employees whose duties affect the event sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(1) regarding participation in this event from their local ethics counselor.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone